

Federal Defenders  
OF NEW YORK, INC.

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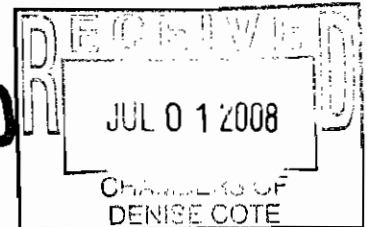
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June 30, 2008

**BY HAND**

Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street -- 10<sup>th</sup> Floor  
New York, New York 10007

**MEMO ENDORSED**



Re: United States v. Cuesado  
07 Cr. 0799 (DLC)

**MEMO ENDORSED**

Hon. Judge Cote:

I write to request an adjournment of Mr. Cuesado's sentence date of July 11, 2008.

I make this request after having submitted the defendant's sentencing memorandum and then having received the government's submission. The government's submission essentially argues that Dr. Miller's report does not show reduced mental capacity, an argument we did not anticipate given the content of her report.

To correct this misperception, we request an opportunity to have a psychologist evaluate Mr. Cuesado so that the government and the Court are fully apprised of Mr. Cuesado's mental health issues prior to sentence. I should have anticipated the government's argument and apologize to the Court for my oversight.

I, therefore, request a 45-day adjournment of his sentence so that we can have Mr. Cuesado evaluated and respond to the government's submission. AUSA Rosensaft has no objection to this request. Thank you.

Respectfully submitted,

Sabrina P. Shroff

cc: AUSA Rosensaft

*Sentence is  
adjourned to  
September 5 at  
11:30 am.  
Denise Cote  
July 3, 2008*